

CALIFORNIA ENERGY COMMISSION

1516 Ninth Street
Sacramento, California 95814

Main website: www.energy.ca.gov



In the matter of,)	Docket No. 05-DATA-1
)	
Proposed Adoption, Amendment, and)	NOTICE OF COMMITTEE
Repeal of Regulations Governing the)	WORKSHOP
Commission's Data Collection System for)	
the Integrated Energy Policy Report and)	
Regulations Governing Disclosure of)	
Commission Records)	

Notice of Integrated Energy Policy Report Committee's Second Workshop on Staff-Proposed Changes to Data Collection Regulations

The California Energy Commission's Integrated Energy Policy Report Committee (Committee), consisting of Vice Chair Jackalyne Pfannenstiel and Commissioner John Geesman, is holding a second workshop to discuss comments received regarding staff's proposed changes to the data collection regulations.

The workshop will be held:

THURSDAY, May 25, 2006
9:30 a.m.
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
First Floor, Hearing Room A
Sacramento, California
(Wheelchair Accessible)

To participate in the meeting by phone,
please call [1-888-282-1669](tel:1-888-282-1669) by [9:30 AM Pacific Time](#)
Passcode: [IEPR](#) Call Leader: Chris Tooker

Purpose

On May 2, 2006, the Committee held a workshop to discuss staff's proposed changes to the Energy Commission's regulations governing data collection for the Integrated

Energy Policy Report, regulations implementing the Commission's complaint and investigation process, and regulations governing the disclosure of Commission records. At that workshop, the Committee extended the final due date for written comments from May 8 to May 22, 2006, and decided to hold a second workshop to discuss those comments. Other Commissioners may attend and participate in this workshop. The Committee encourages the active participation of all interested parties in discussing staff's proposed changes to the regulations, which can be found, with other relevant documents, on the Energy Commission's website at: [\[www.energy.ca.gov/data_collection/\]](http://www.energy.ca.gov/data_collection/).

In establishing the Energy Commission's statutory authority for collecting data necessary to prepare the Integrated Energy Policy Report, the Legislature provided guidance (Pub. Resources Code, § 25320) to the Energy Commission for developing data collection regulations. In response to that guidance, the Committee is particularly interested in hearing from participants in this process on the following issues:

- ◆ To what extent does the new information identified in the draft regulations vary from the information provided by potential filers to other local, state, or federal agencies? In what format and on what schedule is this latter information provided?
- ◆ To what extent does the new information identified in the draft regulations vary from information that is reasonably relevant to the Energy Commission's performance of its duties and that the potential filer can be expected to acquire through the normal course of business?
- ◆ To what extent does the new information identified in the draft regulations represent data for which estimates or proxies may be appropriate or which is consistent with information kept as part of filers' accounting systems? If estimates and proxies are appropriate, please identify how they should be derived.

Background

On October 19, 2005, the Energy Commission, pursuant to Public Resources Code sections 25210 and 25213 and Title 20, California Code of Regulations, section 1222(a), instituted a proceeding at the direction of the Integrated Energy Policy Report Committee (Committee). This proceeding is considering changes to regulations governing the Commission's data collection system for integrated energy policy reporting, the complaint and investigation process, and the disclosure of Energy Commission records. The data collection regulations addressed in this rulemaking are found at Title 20, California Code of Regulations, section 1301 et seq. and section 1340 et seq.; the regulations governing the complaint and investigation process are found at Title 20, California Code of Regulations, section 1230 et seq.; and the regulations governing disclosure of Energy Commission records are found at Title 20, California

Code of Regulations, section 2501 et seq. This rulemaking implements the requirements of SB 1389 (Stats. 2002, ch. 568, § 2), SB 1037 (Stats. 2005, ch. 366, §§ 3, 4, 6), AB 380 (Stats. 2005, ch. 367, § 2), and the California Public Records Act (Gov. Code, § 6250 et seq.)

SB 1389 directs the Energy Commission “to conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand and prices.” (Pub. Resources Code, § 25301.) As part of this process, the Energy Commission is to produce an Integrated Energy Policy Report (IEPR) every two years. (Pub. Resources Code, § 25302.) In carrying out its responsibilities, the Energy Commission is required to “manage a data collection system for obtaining the information necessary to develop the policy reports and analyses required by [SB 1389].” (Pub. Resources Code, § 25320.) As part of this rulemaking, at the direction of the Committee, the staff has reviewed the existing data collection regulations and has developed proposed changes to update them consistent with the requirements of SB 1389 and the recently-adopted provisions of Public Utilities Code sections 454.55, 454.56, 9615, and 9620.

In light of the prominence of confidentiality issues during the 2005 IEPR cycle, the staff has also proposed changes to the Energy Commission’s regulations implementing the Public Records Act. (See Cal. Code Regs., tit. 20, § 2505(a)(5).)

Written Comments

The Committee encourages interested parties to present their views in advance of the workshop. The Committee encourages comments by e-mail so that they may be posted on the Energy Commission’s website.

If a party wishes to discuss its written comments at the workshop, the Committee requests that they be submitted and electronically served on each entity on the service list for this proceeding by 5:00 p.m. on May 22, 2006.

Those submitting comments by e-mail should indicate “Docket No. 05-DATA-1, Data Collection Regulations Workshop”, with your name or your organization’s name in the subject line of the e-mail. Provide your comments in either Microsoft Word format or Adobe Portable Document format (PDF) and send to: [docket@energy.state.ca.us]. Parties submitting comments electronically must also submit the original paper copy to the Energy Commission’s Docket Unit.

Those submitting comments by hard copy should indicate the “Docket No. 05-DATA-1” and “Data Collection Regulations Workshop” in the subject line or initial paragraph of the comments, and must provide an original plus 18 paper copies to the Energy Commission’s Docket Unit.

Please send or deliver written materials to the following address:

California Energy Commission
Docket Unit
Attn: Docket No. 05-DATA-1
1516 Ninth Street, MS-4
Sacramento, California 95814-5512

All written materials relating to this workshop will be filed with the Docket Unit and will become part of the public record in this proceeding.

PLEASE NOTE: The Committee also requires that parties filing comments in this proceeding must, in addition to complying with the Commission's requirements for filing with the Docket Office (Cal. Code Regs., tit. 20, §§ 1209, 1209.5), serve their comments by e-mail on all persons on the service list for this proceeding.

The current service list is attached; if you would like your name added to or removed from the service list or to make corrections, please contact Chester Hong at (916) 654-3951 or by e-mail at chong@energy.state.ca.us. Any person who cannot send or receive e-mail should contact Caryn Holmes at (916) 654-4178.

Public Participation

The Energy Commission's Public Adviser, Margret J. Kim, provides assistance to the public in participating in Energy Commission activities. If you would like information on how to participate in this workshop, please contact the Public Adviser's Office by phone at (916) 654-4489, or toll free at (800) 822-6228, by FAX at (916) 654-4493, or by e-mail at: pao@energy.state.ca.us. If you have a disability and require assistance to participate in this workshop, please contact Lou Quiroz, at (916) 654-5146, at least five days in advance.

The service list for the Data Collection Regulations proceeding is handled electronically, with notices and documents posted to the Energy Commission website at: [www.energy.ca.gov/data collection/](http://www.energy.ca.gov/data%20collection/). When new information is posted, an e-mail will be sent to those on the energy-policy e-mail list server. We encourage those who are interested in receiving these notices to sign up for the list server through the website at: [www.energy.ca.gov/data collection/](http://www.energy.ca.gov/data%20collection/).

Media inquiries should be directed to Claudia Chandler at (916) 654-4989. Technical question should be directed to Chris Tooker at (916) 653-1634; or by e-mail at: ctooker@energy.state.ca.us.

JACKALYNE PFANNENSTIEL
Commissioner and Presiding Member
2007 Energy Policy Report Committee

JOHN L. GEESMAN
Commissioner and Associate Member
2007 Energy Policy Report Committee

Mail Lists: Energy Policy E-mail List

Date Online: May 11, 2006

Note: The California Energy Commission's formal name is the State of California Energy Resources Conservation and Development Commission.

Attachment

Proceeding: Proposed Adoption, Amendment, and Repeal of Regulations Governing
the Commission's Data Collection System for the Integrated Energy Policy
Report and Regulations Governing Disclosure of Commission Records

Docket No.: 05-DATA-1

SERVICE LIST

Interested Parties

Rob Landon
Load Research Supervisor
Customer Strategy Division
Sacramento Municipal Utility District
6301 S Street, MS-A451
Sacramento, CA 95817
Phone: (916) 732-6302
Fax: (916) 732-6833
E-mail: rlandon@smud.org

Bruce McLaughlin
Braun & Blaising, P.C.
Phone: (916) 326-5812
Cell: (916) 531-5566
Fax: (916) 326-5813
E-mail: mclaughlin@braunlegal.com

Steven K. Kelly
Policy Director
Independent Energy Producers
Association
1215 K Street, Suite 900
Sacramento, CA 95814
Phone: (916) 448-9499
E-mail: steven@iepa.com

Kim Kierner
Regulatory/External Affairs Specialist
IID Energy
P.O. Box 937
Imperial, CA 92251
Phone: (760) 482-3354
Fax: (760) 482-3359
E-mail: kmkiener@iid.com

Jeffery D. Harris
Ellison, Schneider & Harris L.L.P.
2015 H Street
Sacramento, CA 95814
Phone: (916) 447-2166
E-mail: JDH@eslawfirm.com

Alvin Chan
Los Angeles Department of Water and
Power
111 North Hope Street Suite 1246
Los Angeles, California 90012
E-mail: Alvin.Chan@ladwp.com

Douglas K. Kerner
Attorney for IEP
Ellison, Schneider & Harris
2015 H Street
Sacramento, CA 95814
Phone: (916) 834-9872
E-mail: dkk@eslawfirm.com

Mona Tierney,
VP, Regional Regulatory and
Government Affairs
Constellation NewEnergy, Inc
2175 N California Blvd, Suite 300
Walnut Creek, CA 94596
Phone: (925) 287-4724
Fax: (925) 287-4501
Cell: (650) 307-3310

Jennifer Chamberlin
Market Manager, Regulatory Affairs
Strategic Energy
Office: 925-969-1031
Cell: 530-521-4183
Fax: 925-887-3732
E-mail: jchamberlin@sel.com

Wendy Keilani, Regulatory Case
Manager
wkeilani@semprautilities.com

Rebecca Giles, Regulatory Case
Administrator
rgiles@semprautilities.com

Vicki Thompson, Attorney
vthompson@sempra.com

Georgetta Baker, Attorney
gbaker@sempra.com
Central Files
CentralFiles@semprautilities.com

Mary Lynch
mary.lynch@constellation.com

Stacy Aguayo
Phone: (602) 744-5364
Stacy.Aguayo@apses.com

Jenine Schenk
Jenine.schenk@apses.com

E-mail:
Mona.Tierney@constellation.com

Andrew B. Brown
Ellison, Schneider & Harris, LLP
2015 H Street
Sacramento, CA 95814
T: (916) 447-2166
F: (916) 447-3512
C: (916) 849-2070
E-mail: mailto:abb@eslawfirm.com

Internal Distribution List

Jackalyne Pfannenstiel
Commissioner
jpfannen@energy.state.ca.us

John Geesman
Commissioner
jgeesman@energy.state.ca.us

Melissa Jones
Advisor
mjones@energy.state.ca.us

Tim Tutt
Advisor
ttutt@energy.state.ca.us

Caryn Holmes
Senior Staff Counsel
cholmes@energy.state.ca.us

Chris Tooker
Project Manager
ctooker@energy.state.ca.us